

(b) REMARKS

The claims are 1-16 with claims 1, 6 and 11 being independent. The Examiner required restriction between:

Group I	claims 1-5, drawn to a toner;
Group II	claims 6-10, drawn to a method of producing a toner; and
Group III	claims 11-16, drawn to a method of forming an image with a toner.

The grounds for restriction are respectfully traversed.

The toner, as claimed, is recited both in the method for making the toner and in the method for using the toner. Accordingly, a search for each of the Groups would necessarily involve the subject matter of all the groups and, accordingly, no additional work would be required to search the other Groups on the part of the Office.

In any event, as required, Applicants provisionally elect Group I, claims 1-5, drawn to a toner, with traverse. Under M.P.E.P. §821.04, where Applicant elects claims directed to the product, and a product claim is subsequently found allowable, any withdrawn process claims which include all the limitations of the allowable product claim will be rejoined. Accordingly, upon an indication of allowable subject matter, it is requested that the process claims be rejoined and examined on their merits. If the product claims are amended during prosecution, then the process claims will be amended in concert therewith.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter Saxon", written over a horizontal line.

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